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10-22-03

PATENT  
ATTORNEY DOCKET NO. 040894-5733

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Fumio TAMURA

Application No.: 09/976,029 ✓

Filed: October 15, 2001

For: FACILITY RETRIEVAL APPARATUS  
AND METHOD

)  
) Confirmation No.: 1548  
)  
) Group Art Unit: 2641  
)  
) Examiner: To be assigned  
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Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in an European Search Report issued by the European Patent Office on August 8, 2003. A copy of the European Search Report is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application, and no fees are believed to be necessary.

Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-0310.

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: October 10, 2003

By: 

Robert J. Goodell

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# INFORMATION DISCLOSURE CITATION

Attorney Docket No. 040894-5733

Application No.: 09/976,029

(Use several sheets if necessary)

Applicants: Fumio TAMURA

PAGE 1 of 1

PTO Form 1449

Filing Date: October 15, 2001

Group Art Unit: 2641

## U.S. PATENT DOCUMENTS

*Examiner Initial	Document Number	Date	Name	Class	Sub Class	Filing Date
	5,337,347	Aug. 9, 1994	Halstead-Nussloch <i>et al.</i>	379	67	

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## FOREIGN PATENT DOCUMENTS

Document Number	Date	Country	Class	Sub Class	Translation YES NO	
0 935 123 A2	Aug. 11, 1999	Europe				
0 875 842 A2	Nov. 4, 1998	Europe				

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.